REMARKS

In response to the above-identified Office Action ("Action"), Applicants traverse the Examiner's rejection of the claims and seek reconsideration thereof. Claims 1-19 are pending in the present application. Claims 1-7, 10 and 14-17 are rejected and claims 8, 9, 11-13, 18 and 18-19 are objected to. In this response, claims 1, 6, 7, 9, 10, 12-14, 17 and 19 are amended, claims 8, 11 and 18 are cancelled and no claims are added.

I.   Claim Amendments

Applicants respectfully submit herewith amendments to claims 1, 6, 7, 9, 10, 12-14, 17 and 19. Claims 1, 10 and 14 are amended to incorporate features of claims 8, 11 and 18, respectively. Dependent claims 6, 7, 9, 12, 13, 17 and 19 are amended for consistency with the amendments to claims 1, 10 and 14. Claims 8, 11 and 18 are cancelled. Applicants respectfully submit the amendments are supported by the specification and do not add new matter. Applicants respectfully request consideration and entry of the amendments to claims 1, 6, 7, 9, 10, 12-14, 17 and 19 at the Examiner's earliest convenience.

II.   Claim Rejections – 35 U.S.C. §103

A.   In the outstanding Action, claims 1-5 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,139,346 issued to Skahan ("Skahan") in view of U.S. Patent No. 6,768,452 issued to Gilkes ("Gilkes"). Applicants respectfully traverse the rejection for at least the following reasons.

To establish a *prima facie* case of obviousness, the Examiner must set forth "some articulated reasoning with some rational underpinning to support the conclusion of obviousness." See *KSR International Co. v. Teleflex Inc.,* 82 USPQ2d 1385, 1396 (2007). In combining prior art elements to render the claimed combination of elements obvious, the Examiner must show that the results would have been predictable to one of ordinary skill in the art. See *Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103*, Section III(D), issued by the U.S. Patent and Trademark Office on October 10, 2007.

In regard to independent claim 1, Applicants respectfully submit <u>Skahan</u> and <u>Gilkes</u> fail to disclose or render predictable at least the elements of "the NTP server comprising a synchronous mobile terminal as a reference clock to provide time synchronization to the node units in the network, the synchronous mobile terminal being present in the network area and having a wireless interface and a virtual clock manager in communication with the mobile terminal through the wireless interface to manage the mobile terminal as a virtual reference clock, the virtual clock manager comprises a clock manager for managing mobile terminals present in the network area and operated as the reference clock of the NTP server, wherein the clock manager manages the mobile terminals hierarchically using previously input information of each mobile terminal, the information including a unit number, authentication information, or priority as a clock reference source, and upon the NTP server receiving a time information request, the clock manager acquires the time information from an uppermost mobile terminal in response to the request" as recited in claim 1.

<u>Skahan</u> generally discloses a method for synchronizing a time architecture of a mobile network. <u>See Skahan</u>, Abstract. The Examiner alleges server 30 of <u>Skahan</u> teaches an NTP server for providing time synchronization to a plurality of node units in the network 18, however, fails to disclose a synchronous mobile terminal. <u>See</u> Action, page 3. The Examiner instead alleges <u>Gilkes</u> discloses this element. Neither <u>Skahan</u> nor <u>Gilkes</u>, however, disclose a synchronous mobile terminal to provide time synchronization to the node units in the network and having a virtual clock manager to manage the mobile terminal as a virtual reference clock wherein the virtual clock manager comprises a clock manager for managing mobile terminals hierarchically using previously input information of each mobile terminal and upon the NTP server receiving a time information request, the clock manager acquiring the time information from an uppermost mobile terminal in response to the request as claimed. The failure of the references in this regard is further evidenced by the Examiner's indication that claim 8, which previously recited or incorporated these features by reference to claims 7 and 6, would be allowable if rewritten in independent form. Thus, for at least the foregoing reasons, <u>Skahan</u> and <u>Gilkes</u> fail to disclose or render predictable each and every element of claim 1. Since each of the elements of claim 1 are not found within the cited prior art references, claim 1 is not *prima facie*

obvious over <u>Skahan</u> and <u>Gilkes</u>. Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §103 over <u>Skahan</u> and <u>Gilkes</u>.

In regard to claims 2-5, claims 2-5 depend from claim 1 and incorporate the limitations thereof. For at least the reasons that claim 1 is not *prima facie* obvious over <u>Skahan</u> and <u>Gilkes</u>, claims 2-5 are further not obvious over the cited references. Applicants respectfully request reconsideration and withdrawal of the rejection of claims 2-5 under 35 U.S.C. §103 in view of <u>Skahan</u> and <u>Gilkes</u>.

B. In the outstanding Action, claims 6, 7, 10 and 14-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over <u>Skahan</u> in view of <u>Gilkes</u> and further in view of U.S. Patent No. 4,893,318 issued to Potash et al. ("<u>Potash</u>"). Applicants respectfully traverse the rejection for at least the following reasons.

In regard to independent claim 10, Applicants respectfully submit <u>Skahan</u>, <u>Gilkes</u> and <u>Potash</u> fail to disclose or render predictable at least the elements of "the NTP server registering the network-connected synchronous mobile terminal as a virtual reference clock wherein registering comprises registering the mobile terminal hierarchically using previously input information of each mobile terminal, the information including a unit number, authentication information or priority as a clock reference source" and "the NTP server setting the registered mobile terminal as the virtual reference clock and acquiring time synchronization of the node units requesting time synchronization and acquiring time information from an uppermost mobile terminal and responding to it, upon the NTP server receiving a time information request" as recited in amended claim 10. As noted above, these elements were previously recited in now cancelled claim 11. The Examiner indicates on page 12 of the Action that claim 11 would be allowable if rewritten in independent form. Claim 10 has been rewritten as proposed by the Examiner. Thus, for at least the reasons recognized by the Examiner in finding claim 11 includes allowable subject matter, claim 10 is not *prima facie* obvious over <u>Skahan</u>, <u>Gilkes</u> and <u>Potash.</u> Applicants respectfully request reconsideration and withdrawal of the rejection of claim 10 under 35 U.S.C. §103 in view of <u>Skahan</u>, <u>Gilkes</u> and <u>Potash</u>.

In regard to independent claim 14, Applicants respectfully submit for at least the reasons previously discussed, Skahan and Gilkes fail to disclose or render predictable the clock manager as claimed. In particular, claim 14 is amended to incorporate elements of the clock manager as recited in claims 17 and 18. Potash further fails to disclose or render predictable the claimed clock manager. The Examiner indicates on page 12 of the Action that claim 18 would be allowable if rewritten in independent form. Claim 14 has been rewritten as proposed by the Examiner to include elements of the clock manager as previously recited in claim 17 and now cancelled claim 18. Thus, for at least the reasons recognized by the Examiner in finding claim 18 includes allowable subject matter, claim 14 is not *prima facie* obvious over Skahan, Gilkes and Potash. Applicants respectfully request reconsideration and withdrawal of the rejection of claim 14 under 35 U.S.C. §103 in view of Skahan, Gilkes and Potash.

In regard to claims 6, 7 and 15-17, these claims depend from claims 1 and 14, respectively, and incorporate the limitations thereof. For at least the reasons that claims 1 and 14 are not *prima facie* obvious over Skahan, Gilkes and Potash, claims 6, 7 and 15-17 are further not obvious over the cited references. Applicants respectfully request reconsideration and withdrawal of the rejection of claims 6, 7 and 15-17 under 35 U.S.C. §103 in view of Skahan, Gilkes and Potash.

III. Allowable Subject Matter

Applicants respectfully acknowledge the Examiner's indication that claims 8, 9, 11-13, 18 and 19 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 8, 11 and 18 are cancelled and the elements of these claims are incorporated into claims 1, 10 and 14. For at least the reasons previously discussed, claims 1, 10 and 14 are now in condition for allowance. Thus, at least for the reasons that dependent claims 9, 12, 13 and 19 depend from allowable base claims 1, 10 and 14, respectively, claims 9, 12, 13 and 19 are in condition for allowance without rewriting them as requested by the Examiner. Applicants therefore respectfully request consideration and allowance of claims 9, 12, 13 and 19 as written at the Examiner's earliest convenience.
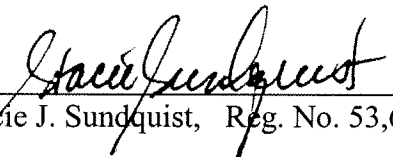
CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,
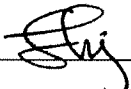
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated:___January 28, 2008___   By:_____

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CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on January 28, 2008.

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